

Appln. No. 09/932,815

Attorney Docket No. 10541-607

II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested

By this paper, Applicants are amending claims 7 and 14-16, and adding claim 18. After entering this amendment, claims 7-18 are pending.

Claim Rejections - 35 U.S.C. § 112

The Examiner rejected claim 15 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement by containing new matter. More specifically, the Examiner asserted that the recitation "at least one flexible web includes a first flexible web coupled with a first surface of the soft material and a second flexible web coupled with a second surface of the soft material" includes matter not disclosed in the original application as filed.

Claim 15 has been amended to replace the recitation of the second flexible web with a recitation to an inner skin, as disclosed in Paragraph [0019] in the original application as filed. Therefore, the Examiner's rejection is moot and should be withdrawn.

Claims 16 and 17 have been amended to consistently refer to the elements of amended claim 15.

Further Claim Clarifications

Prior to discussing the cited references, it is believed that a brief discussion of the current form of the claims of this application is warranted. Claim 18, which depends indirectly from claim 1, has been added to clarify, more particularly to point out and distinctly claim that which applicants regard as the subject matter of the present invention. Claim 18 recites that the flange is substantially flush with the outer surface of the rim and the outer surface of the uncompressed section. Paragraphs [0024] – [0025] and Figure 5 of the original Application as filed disclose the flange 14 being substantially flush with the rim 44 and the outer surface 12 of the blank 31. Therefore, no new matter has been added.

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Claim Rejections - 35 U.S.C. § 102(b)

The Examiner rejected claims 7-12, 14 and 15 under 35 U.S.C. § 102(b) as being anticipated by EP 0 517 615 (hereinafter the '615 reference).

Amended claim 7 recites that the molded section includes a body, a rim, and *a flange extending away from and parallel to the rim*. The '615 reference discloses a removable insert 15 for a chair 16 having a body portion 14 and a rim portion 8. The '615 reference does not disclose a flange extending away from and parallel to the rim portion 8. (Figures 6-7, Derwent Abstract). Therefore, amended claim 7 is not anticipated by the '615 reference.

Claims 8-13 and 18 depend from claim 7, and therefore Applicants respectfully assert that claims 7-13 and 18 are allowable.

Amended claim 14 recites that the soft-feel section includes *a compressed section and an uncompressed section* and that the *uncompressed section is flush with the rim*. The '615 reference discloses a removable insert 15 for a chair 16 having a rim portion 8 and a composite material 3. The '615 reference does not disclose the composite material 3 being flush with the rim 8. Rather, the uncompressed section of the composite material 3 gradually extends upwardly until it has the same height as the rim 8, and therefore the respective components are not flush with each other. (Figures 6-7, Derwent Abstract). Therefore, amended claim 14 is not anticipated by the '615 reference.

Claims 15-17 depend from claim 14, and therefore Applicants respectfully assert that claims 14-17 are allowable.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 13, 16, and 17 under 35 U.S.C. § 103(a) as being unpatentable over the '615 reference in view of JP 05338095 Derwent Abstract (herein after the '095 reference).

Claim 13 depends indirectly from claim 7 and claims 16-17 depend indirectly from claim 14. Therefore, Applicants respectfully assert that claims 13 and 16-17 are not unpatentable in view of the '615 reference for the reasons discussed above.

The '095 reference fails to cure the deficiencies of the '615 reference. More specifically, the '095 reference does not disclose a flange extending away from and

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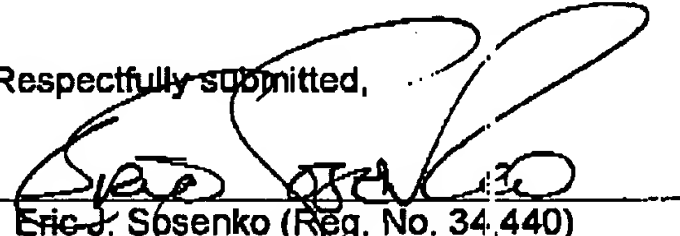
parallel to the rim portion, as recited in claim 7. (Derwent Abstract). Therefore, amended claim 7, and the claims depending therefrom, are not unpatentable by the '615 reference in view of the '095 reference. Additionally, the '095 reference does not disclose a composite material being flush with the rim, as recited in claim 14. (Derwent Abstract). Therefore, amended claim 14, and the claims depending therefrom, are not unpatentable by the '615 reference in view of the '095 reference.

Conclusion

In view of the above remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Therefore, Applicants request that the Examiner grant early allowance of these claims. The Examiner is invited to contact the undersigned attorney for the Applicants via telephone number (734) 302-6000, if such communication would expedite this application.

October 15, 2004
Date

Respectfully submitted,


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